

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
CIVIL ACTION NO. 1:13-CV-897**

JAMES DILLON,  
on Behalf of Himself and All Others  
Similarly Situated,

Plaintiffs,

vs.

BMO HARRIS BANK, N.A.,  
FOUR OAKS BANK & TRUST, a  
North Carolina-Chartered Bank,  
GENERATIONS FEDERAL CREDIT  
UNION, and BAY CITIES BANK, a  
Florida State-Chartered Bank,

Defendants.

**STIPULATION OF DISMISSAL  
WITH PREJUDICE  
(Fed. R. Civ. P. 41(a)(1))**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure and the settlement reached between them, Plaintiff James Dillon and Defendant Four Oaks Bank & Trust Company (“Four Oaks”) hereby stipulate that all claims asserted by Plaintiff against Four Oaks in this action are dismissed with prejudice.

Dated: December 23, 2016

Respectfully submitted,

/s/ F. Hill Allen

F. Hill Allen

North Carolina State Bar No. 18884

THARRINGTON SMITH, L.L.P.

P.O. Box 1151

Raleigh, NC 27602-1151

Telephone: 919-821-4711

Facsimile: 919-829-1583

[hallen@tharringtonsmith.com](mailto:hallen@tharringtonsmith.com)

*Attorneys for Plaintiff*

/s/ Clifton L. Brinson

Carl N. Patterson, Jr.

NC Bar No. 7260

Clifton L. Brinson

NC Bar No. 34331

Isaac A. Linnartz

NC Bar No. 39858

SMITH, ANDERSON, BLOUNT,

DORSETT, MITCHELL & JERNIGAN, LLP

150 Fayetteville St., Suite 2300

Raleigh, NC 27601

Ph.: (919) 821-1220

Fax: (919) 821-6688

[cpatterson@smithlaw.com](mailto:cpatterson@smithlaw.com)

[cbrinson@smithlaw.com](mailto:cbrinson@smithlaw.com)

[ilinnartz@smithlaw.com](mailto:ilinnartz@smithlaw.com)

*Attorneys for Defendant*

*Four Oaks Bank & Trust Co.*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 23, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of the filing to all counsel of record.

**THARRINGTON SMITH, L.L.P.**

By: /s/ F. Hill Allen  
F. Hill Allen  
North Carolina State Bar No. 18884